

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

EVM SYSTEMS, LLC,

Plaintiff-Counter Defendant,

V.

**REX MEDICAL, L.P. and
ARGON MEDICAL DEVICES, INC.**

Defendants-Counter Plaintiffs

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Civil Action No. 6:13-cv-00184

HON. ROBERT W. SCHROEDER, III

JURY TRIAL DEMANDED

VERDICT FORM

In answering these questions, you are to follow the instructions I have given you in the Court's Charge.

1. Did EVM Systems, LLC prove by a preponderance of the evidence that Rex Medical, L.P. and Argon Medical Devices, Inc. have infringed any of the following claims of the '670 patent?

If you find the claim infringed, answer "Yes"; otherwise, answer "No." A "Yes" is a finding for EVM Systems, LLC; a "No" is a finding for Rex Medical, L.P and Argon Medical Devices, Inc. If you do not find infringement for independent Claim 1, then do not proceed to answer the question for dependent claims 2 and 11.

'670 Patent	Option/Option Elite Filters
Claim 1	No
Claim 2	
Claim 11	

2. Did Rex Medical, L.P. and Argon Medical Devices, Inc. prove by clear and convincing evidence that any of the following claims of the '670 patent are invalid for lack of enablement?

If you find the claim invalid, answer "Yes"; otherwise, answer "No." A "Yes" is a finding for Rex Medical, L.P. and Argon Medical Devices, Inc.; a "No" is a finding for EVM Systems, LLC. Please answer for all claims.

'670 Patent	Lack of Enablement
Claim 1	No
Claim 2	No
Claim 11	No

Answer Question No. 3-4 only if you have found any claim(s) to be infringed and not invalid. Otherwise, do not answer the remaining questions.

3. What sum of money, if any, if paid now in cash, do you find from a preponderance of the evidence would fairly and reasonably compensate EVM Systems, LLC for Rex Medical L.P.'s and Argon Medical Devices, Inc.'s infringement, if any, of the patent up to the time of trial?

Answer with the Amount: \$ _____

4. State the royalty rate you applied.

Answer with the percentage for the royalty rate: _____ percent

Kim Perez
JURY FOREPERSON